

MASSAGE THERAPY ACT AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tim M. Cosgrove

Senate Sponsor: Aaron Osmond

LONG TITLE

General Description:

This bill ~~H→ [adds a definition and]~~ ←H modifies a definition in the Massage
Therapy Practice
Act.

Highlighted Provisions:

This bill:
~~H→ [→ defines "manipulation" as used in the Massage Therapy Practice Act; and]~~ ←H
▶ modifies the definition of "practice of massage therapy" to include providing,
offering, or advertising a paid service using the term massage, regardless of whether
the service includes physical contact ~~H→ [:] ; and~~
makes technical changes. ←H

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-47b-102, as last amended by Laws of Utah 2011, Chapter 367

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-47b-102** is amended to read:

58-47b-102. Definitions.



28 In addition to the definitions in Section 58-1-102, as used in this chapter:

29 (1) "Board" means the Board of Massage Therapy created in Section 58-47b-201.

30 (2) "Breast" means the female mammary gland and does not include the muscles,
31 connective tissue, or other soft tissue of the upper chest.

32 (3) "Homeostasis" means maintaining, stabilizing, or returning to equilibrium the
33 muscular system.

34 ~~H→ [(4) "Manipulation" means physical contact, with movement, on the clothed or~~
35 ~~unclothed body.]~~

36 [F] (4) [F] ~~[(5)] ←H~~ "Massage apprentice" means an individual licensed under this
36a chapter as a
37 massage apprentice to work under the direct supervision of a licensed massage therapist.

38 ~~H→ [F] (5) [F] ~~[(6)] ←H~~~~ "Massage therapist" means an individual licensed under this
38a chapter as a
39 massage therapist.

40 ~~H→ [F] (6) [F] ~~[(7)] ←H~~~~ "Practice of massage therapy" means:

41 (a) the examination, assessment, and evaluation of the soft tissue structures of the body
42 for the purpose of devising a treatment plan to promote homeostasis;

43 (b) the systematic manual or mechanical manipulation of the soft tissue of the body for
44 the purpose of:

45 (i) promoting the ~~H→~~ therapeutic ~~←H~~ health and well-being of a client;

46 (ii) enhancing the circulation of the blood and lymph;

47 (iii) relaxing and lengthening muscles;

48 (iv) relieving pain;

49 (v) restoring metabolic balance;

50 (vi) achieving homeostasis; ~~H→~~ [and] or ~~←H~~

51 (vii) ~~H→~~ [recreational or] ~~←H~~ other purposes;

52 (c) the use of the hands or a mechanical or electrical apparatus in connection with this
53 Subsection ~~H→~~ [F] (6) [F] ~~[(7)] ←H~~ ;

54 (d) the use of rehabilitative procedures involving the soft tissue of the body;

55 (e) range of motion or movements without spinal adjustment as set forth in Section
56 58-73-102;

57 (f) oil rubs, heat lamps, salt glows, hot and cold packs, or tub, shower, steam, and
58 cabinet baths;

- 59 (g) manual traction and stretching exercise;
- 60 (h) correction of muscular distortion by treatment of the soft tissues of the body;
- 61 (i) counseling, education, and other advisory services to reduce the incidence and
- 62 severity of physical disability, movement dysfunction, and pain;
- 63 (j) similar or related activities and modality techniques; [~~and~~]
- 64 (k) the practice described in this Subsection ~~H→~~ [f] (6) [f] [~~(7)~~] ~~←H~~ on an animal
- 64a to the extent
- 65 permitted by:
 - 66 (i) Subsection 58-28-307(12);
 - 67 (ii) the provisions of this chapter; and
 - 68 (iii) division rule[-]; or
 - 69 (l) providing, offering, or advertising a paid service using the term massage or a
 - 70 derivative of the word massage, regardless of whether the service includes physical contact.
 - 71 ~~H→~~ [f] (7) [f] [~~(8)~~] ~~←H~~ "Soft tissue" means the muscles and related connective tissue.
 - 72 ~~H→~~ [f] (8) [f] [~~(9)~~] ~~←H~~ "Unlawful conduct" is as defined in Sections 58-1-501
 - 72a and 58-47b-501.
 - 73 ~~H→~~ [f] (9) [f] [~~(10)~~] ~~←H~~ "Unprofessional conduct" is as defined in Sections 58-1-501
 - 73a and 58-47b-502
 - 74 and as may be further defined by division rule.

Legislative Review Note
 as of 1-30-12 2:57 PM

Office of Legislative Research and General Counsel